

OFFICE OF THE STATE PUBLIC DEFENDER

FINANCIAL SUMMARY

	FY 2002 EXPENDITURE	FY 2003 APPROPRIATION	FY 2004 REQUEST	GOVERNOR RECOMMENDS FY 2004
Defender Services	\$ 26,464,485	\$ 27,851,784	\$ 33,713,018	\$ 27,916,241
Federal Grants	0	125,000	125,000	125,000
Legal Defense and Defender Fund	752,435	1,214,534	1,214,534	1,215,146
Homicide/Conflict of Interest Cases	<u>2,039,248</u>	<u>2,059,850</u>	<u>2,809,850</u>	<u>2,559,850</u>
DEPARTMENT TOTAL	\$ 29,256,168	\$ 31,251,168 *	\$ 37,862,402	\$ 31,816,237
PERSONAL SERVICE				
General Revenue Fund	21,115,338	22,104,233	25,747,578	22,179,050
Legal Defense and Defender Fund	47,189	57,178	57,178	57,790
EXPENSE AND EQUIPMENT				
General Revenue Fund	7,388,395	7,807,401	10,775,290	8,297,041
Legal Defense and Defender Fund	692,549	1,157,356	1,157,356	1,157,356
PROGRAM SPECIFIC DISTRIBUTION				
Federal Funds	0	125,000	125,000	125,000
Legal Defense and Defender Fund	<u>12,697</u>	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	\$ 29,256,168	\$ 31,251,168	\$ 37,862,402	\$ 31,816,237
General Revenue Fund	28,503,733	29,911,634	36,522,868	30,476,091
Federal Funds	0	125,000	125,000	125,000
Legal Defense and Defender Fund	752,435	1,214,534	1,214,534	1,215,146
Full-time equivalent employees	537.42	560.13	566.38	560.13

* Does not include \$250,000 general revenue recommended in the Fiscal Year 2003 Supplemental Appropriations. See the Supplemental Section of the Missouri Budget for details regarding Office of the Public Defender Supplemental Appropriations.

POLICY SUMMARY

The Sixth Amendment of the U.S. Constitution assures that no person accused of a crime and unable to pay for legal assistance shall face trial without counsel. Established in 1982 through Chapter 600, RSMo, the Office of the State Public Defender exists as a "system for providing defense services to every jurisdiction within the state by means of a centrally administered organization having a full-time staff." The State Public Defender System fulfills the constitutional guarantee of legal counsel for persons accused of criminal offenses in Missouri's 45 judicial circuits (embracing 114 counties and the City of St. Louis).

Functioning as an independent department of the Missouri judicial branch, the Office of the State Public Defender is charged with providing legal defense for indigents accused of criminal offenses. Caseload has grown from 73,738 cases in Fiscal Year 1999 to 90,929 projected cases in Fiscal Year 2004, an increase of twenty-three percent.

Advances in the forensic sciences have provided valuable tools to help determine the guilt or innocence of criminal defendants. However, these same tools place a mounting strain on the resources of the public defender system. For example, expanded DNA testing requires the increased use of expert witnesses and independent lab tests. The appropriation to cover these expenses has not increased since Fiscal Year 1996 despite the caseload growth and the expanding costs of modern forensic techniques. To help maintain the constitutionality of the Missouri criminal justice system, the Governor recommends a \$500,000 increase to cover the extraordinary expenses related to the testing and analysis of forensic evidence.

A properly funded public defender system is essential to maintain an efficient, effective, and constitutional criminal justice system. Therefore, the Governor's recommendations provide ongoing funding of \$31.8 million.

Fiscal Year 2004 Governor's Recommendations

- \$500,000 for the increased costs of forensic evidence testing and analysis.
- \$75,429 for pay plan, including \$74,817 general revenue.
- (\$10,360) for one-time reductions.